

RECEIVED
CENTRAL FAX CENTER

DEC 09 2004

PATENT
(5468-03200/AUS990817US1)IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re Application of:
Schwerdtfeger et al.

Serial No. 09/458,642

Filed: December 9, 1999

For: ELECTRONIC DOCUMENT DELIVERY
SYSTEM EMPLOYING DISTRIBUTED
DOCUMENT OBJECT MODEL (DOM)
BASED TRANSCODING AND
PROVIDING INTERACTIVE
JAVASCRIPT SUPPORT

Group Art Unit: 2157

Examiner: Salad, A.

Atty. Dkt. No. AUS990817US1

I hereby certify that this correspondence is being
transmitted via facsimile or deposited with the U.S. Postal
Service as First Class Mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313, on the date indicated below.

12/09/2004
Date
Kevin L. DafferTERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PATENTCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

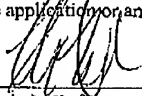
1. International Business Machines Corporation is the owner of all rights in the captioned application.
2. As sole owner in the captioned application, International Business Machines Corporation hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent No. 6,725,424 entitled "ELECTRONIC DOCUMENT DELIVERY SYSTEM EMPLOYING DISTRIBUTED DOCUMENT OBJECT MODEL (DOM) BASED TRANSCODING AND PROVIDING ASSISTIVE TECHNOLOGY SUPPORT" filed on December 9, 1999. In addition, it is hereby agreed that any patent so granted on the captioned application shall be enforceable only for and during such period that it and U.S. Patent No. 6,725,424 are commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.
3. In making the above disclaimer, International Business Machines Corporation does not disclaim the terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent No. 6,725,424 in the event that U.S. Patent No. 6,725,424: (i) expires for failure to pay a maintenance fee, (ii) is held unenforceable, (iii) is found invalid by a court of competent

jurisdiction, (iv) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, (v) has all claims canceled by a reexamination certificate, (vi) is reissued, or (vii) is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

4. International Business Machines Corporation certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the patent application identified above.
5. The Commission is authorized to charge the Terminal Disclaimer fee under 37 CFR 1.20(d) to deposit account no. 50-3268/5468-03200.
6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under the United States Code, Title 18 § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: December 9, 2004

By: _____


Kevin L. Dafter
Reg. No. 34,146
Attorney for Applicants

16/10